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105TH CONGRESS
2D SESSION

H. R. 4771

To direct the Secretary of Health and Human Services to waive the penalty for late enrollment under part B of the Medicare Program for certain military retirees and dependents, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 9, 1998

Mr. HEFLEY introduced the following bill; which was referred to the Committee on Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To direct the Secretary of Health and Human Services to waive the penalty for late enrollment under part B of the Medicare Program for certain military retirees and dependents, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. WAIVER OF PART B LATE ENROLLMENT PEN-**
4 **ALTY FOR CERTAIN MILITARY RETIREES AND**
5 **DEPENDENTS.**

6 (a) WAIVER OF PART B PENALTY FOR LATE EN-
7 ROLLMENT.—In the case of any eligible person (as defined

1 in subsection (b)) who enrolls under part B of the title
 2 XVIII of the Social Security Act pursuant to a general
 3 enrollment period under section 1837(e) of such Act (42
 4 U.S.C. 1395p(e)) in 1998 or 1999, there shall be no in-
 5 crease pursuant to section 1839(b) of such Act (42 U.S.C.
 6 1395r(b)) in the monthly premium under such part for
 7 months after the effective date of such enrollment, but
 8 only so long as the person remains continuously enrolled
 9 under such part.

10 (b) ELIGIBLE PERSON DEFINED.—In this section,
 11 the term “eligible person” means a person—

12 (1) who is a person described in paragraph (1)
 13 of subsection (d) of section 1086 of title 10, United
 14 States Code;

15 (2) in the absence of such paragraph, would be
 16 eligible for health benefits under such section; and

17 (3) satisfies the criteria specified in subpara-
 18 graphs (A) and (B) of paragraph (2) of such sub-
 19 section.

20 (c) ADJUSTMENT FOR MONTHS OF PENALTY OVER-
 21 PAYMENT.—The Secretary of Health and Human Services
 22 shall take such action (such as payment of a lump sum
 23 or adjustment of future premium payments of an eligible
 24 individual) as may be appropriate in order to assure the
 25 appropriate application of subsection (a) in the case of

- 1 premiums for months before the date of the enactment
- 2 of this Act or for subsequent months in which a premium
- 3 adjustment has not been made in the premiums charged
- 4 to such an eligible individual.

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